

REMARKS

Claims 1-9 are presently pending in this application. By this amendment claims 1, 7, 8 and 9 have been amended. Reconsideration is respectfully requested.

While the present invention and the cited reference Rubstein may seem to be similar, in terms of transmitting a music card free of charge by adding an advertisement, there is an important difference. The difference lies in selecting the advertisement added to the music card. In the present invention, an advertiser may designate music data and image data with which advertisement data is to be added.

With this feature, as disclosed in lines 8-11, page 17 of the original specification (just before the explanation of Step SA5), "it is therefore possible (for the advertiser) to enhance the advertisement effects by selecting the contents expected to be used frequently." Moreover by designating no image data and no music data to which an advertisement is added, an advertisement can be added to image data and music data with which no advertisement has been designated.

On the other hand, the cited reference Rubstein fails to disclose details of an advertiser and the selection of image data and music data to which an advertisement is added. Therefore, the present invention is patentable over the cited reference.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Application No. 10/045397
Amendment dated March 10, 2006
After Final Office Action of October 11, 2005

Docket No.: 2552-000004/US

Applicant believes that the proper extension of time fee has been submitted with this response. However, if a different fee is due, please charge (or credit) our Deposit Account No. 08-0750, under Order No. 2552-000004/US from which the undersigned is authorized to draw.

Dated: March 10, 2006

Respectfully submitted,

By



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